

ZB# 04-05

Edward Nixon

58-3-2

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 3-8-04

ZBA #04-05 EDWARD NIXON (AREA)
20 HILL VIEW RD. (58-3-2)

Ken Gill

Edward Nixon 496-3276

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 58-3-2

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

EDWARD NIXON

AREA

CASE #04-05

WHEREAS, Kenneth Gill represented the owner(s)(Edward Nixon) of 20 Hill View, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 4 ft. Rear Yard Setback - for existing detached 8'X12' shed (48-13-A-1-B)and; 6 ft. Front Yard Setback – for existing 12' X 12' front deck (R-4 bulk tables Use 7-E) and; 1.2 ft Side Yard Setback – for existing detached 8' X 8' well house (48-14-A-1-B)

WHEREAS, a public hearing was held on March 8, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Kenneth Gill appeared on behalf of the owner, Edward Nixon for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The shed replaced an existing shed on the property. The replacement shed has been in existence for approximately 15 years, during which time there has been not complaints either formal or informal.

- (c) The front entrance deck also replaces an existing deck.
- (d) Without the front deck, a person exiting the home would be likely to sustain serious injury due to a fall.
- (e) The well house has been in existence and contains extensive mechanical devices.
- (f) The shed and the front deck are similar in size and appearance to other sheds and front decks in the neighborhood.
- (g) Neither of the sheds, deck or well house are located on top of any easements, including but not limited to sewer and water.
- (h) Neither of the sheds, the deck or the well house create the ponding or collection of water or interfere with the flow of water drainage.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a

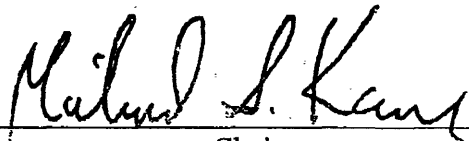
4 ft. Rear Yard Setback - for existing detached 8'X12' shed (48-13-A-1-B)and;
6 ft. Front Yard Setback – for existing 12' X 12' front deck (R-4 bulk tables Use 7-E) and;
1.2 ft Side Yard Setback – for existing detached 8' X 8' well house (48-14-A-1-B)

as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: March 8, 2004

A handwritten signature in black ink, appearing to read "Michael S. Kany", is written over a horizontal line.

Chairman



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695**

OFFICE OF THE ZONING BOARD OF APPEALS

June 16, 2004

Edward Nixon
P.O. Box 41
Salisbury Mills, NY 12577

SUBJECT: REQUEST FOR VARIANCE #04-05

Dear Mr. Nixon:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

1 of 3

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: December 4, 2003

APPLICANT: Edward Nixon
PO Box 41
Salisbury Mills, NY 12577

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 12/4/03

FOR : shed

LOCATED AT: 20 Hill View

ZONE: R-4 Sec/Blk/ Lot: 58-3-2

COPY

DESCRIPTION OF EXISTING SITE: SBL# 58-3-2

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing detached 8x12ft. shed does not meet minimum 10' rear set-back.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-1-B Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

10'

6'

4'

REQ'D FRONTAGE:

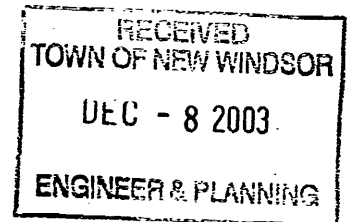
MAX BLDG HT:

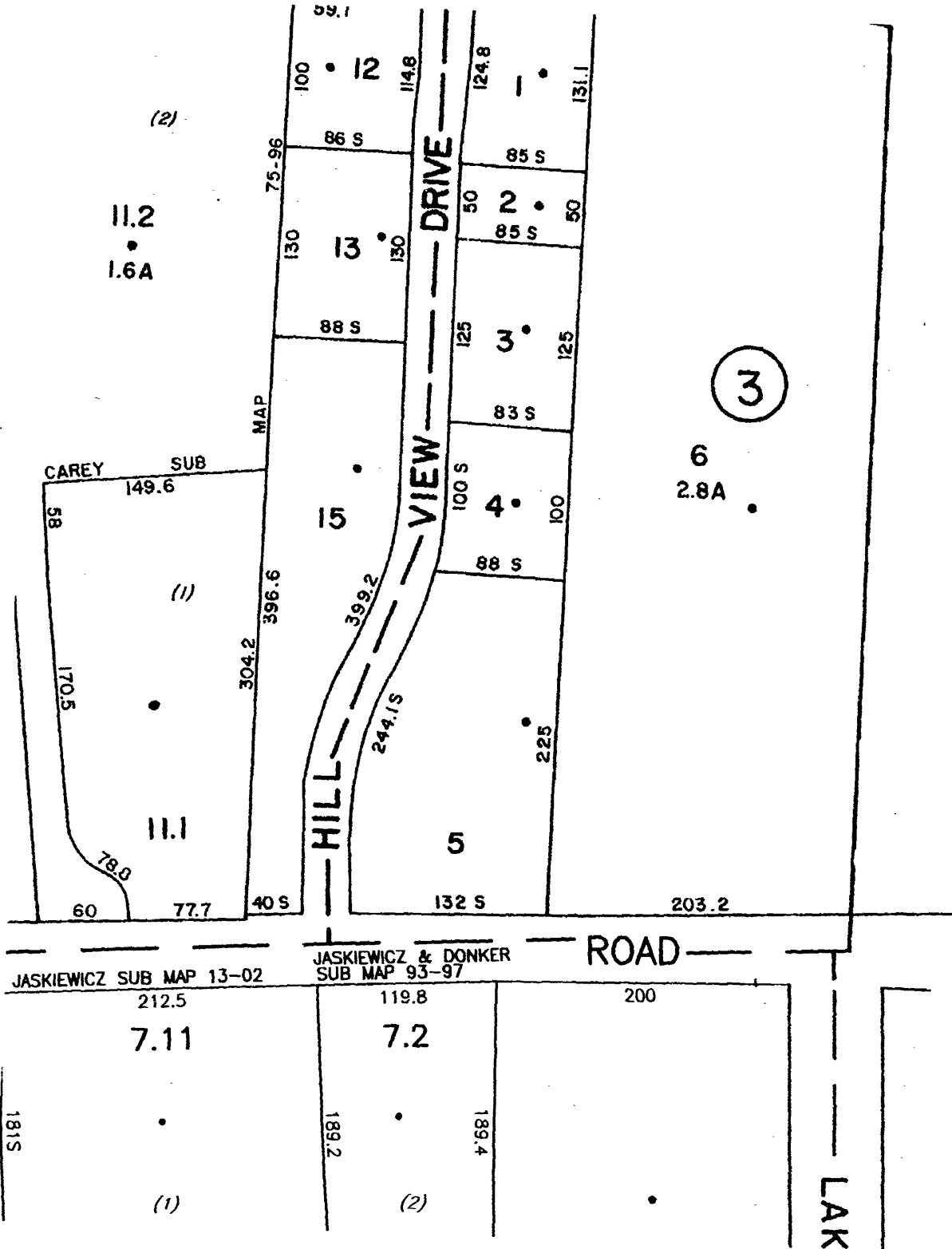
FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP





SECTION 57

COPY

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

COPY

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

DEC 01 2003

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2003-1462

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ED NIXON

Address 20 HILL VIEW DRIVE Phone # 496 3276

Mailing Address P.O. BOX 44 SALISBURY MILLS N.Y. 12577 Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the E side of HILLVIEW DRIVE
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section SE Block 3 Lot 283

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy DWELLING b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? NO existing shed

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$ 50- **CHIVD**

CH 3149

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krysheer
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.


(Signature of Applicant)

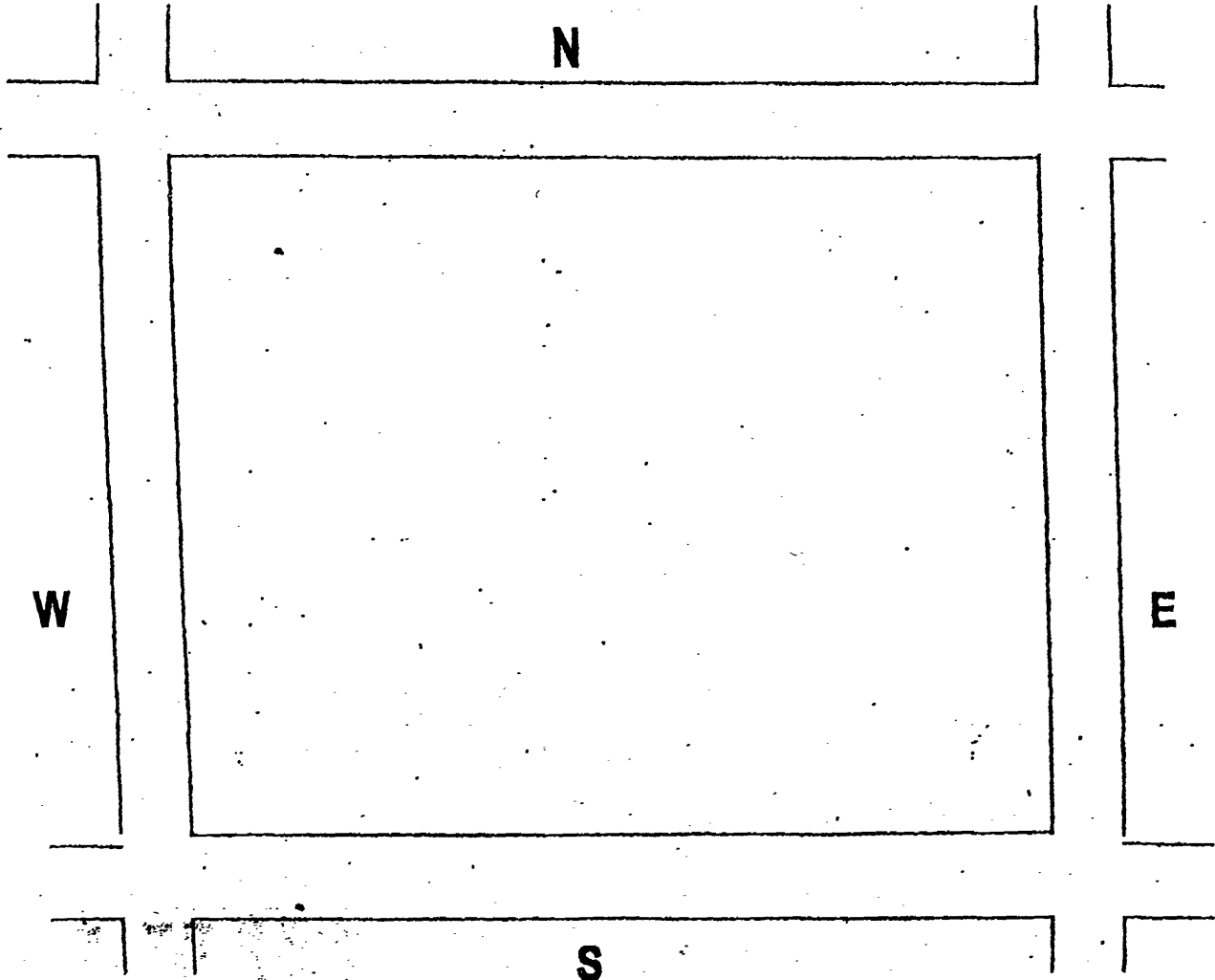
(Address of Applicant)


(Owner's Signature)

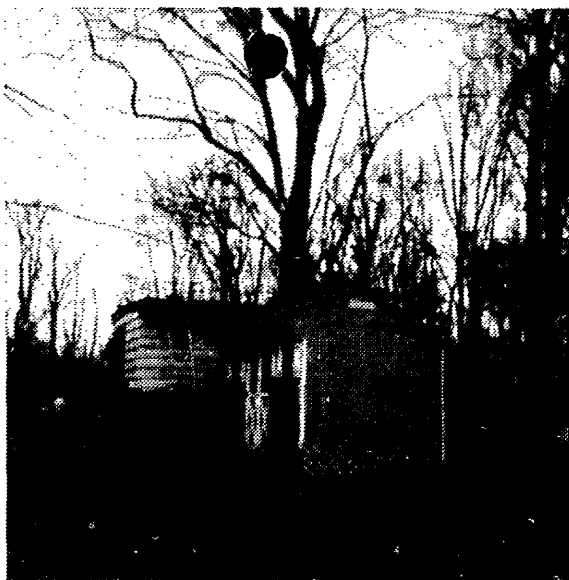
PLOT PLAN

NOTE:

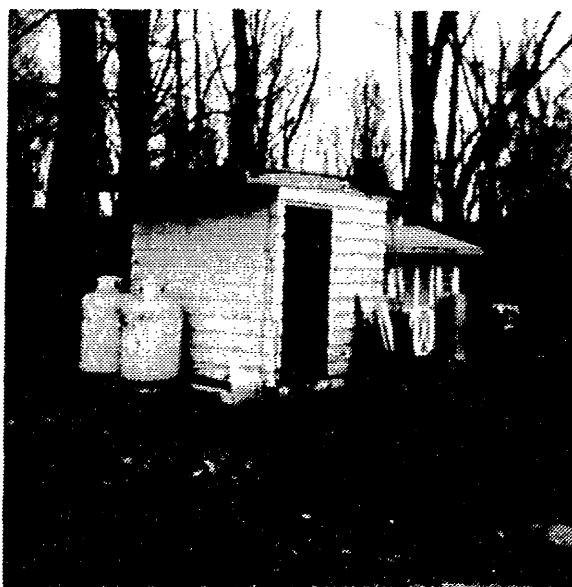
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



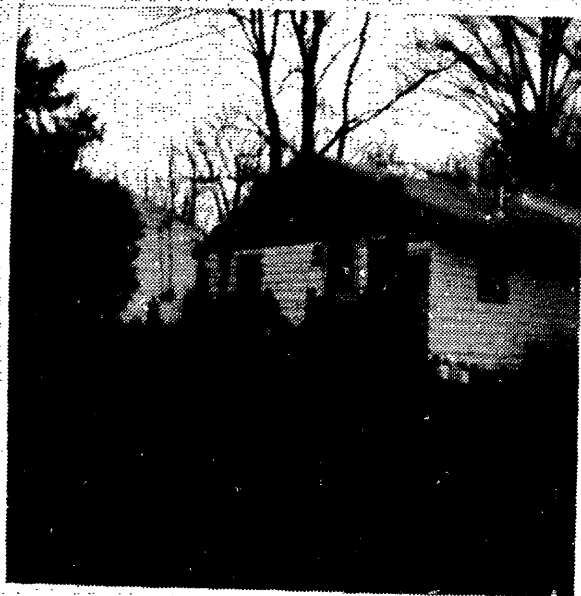
PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS



DETACHED SHED
(WELL HOUSE BODILY)



WELL HOUSE
(DETACHED SHED BODILY)

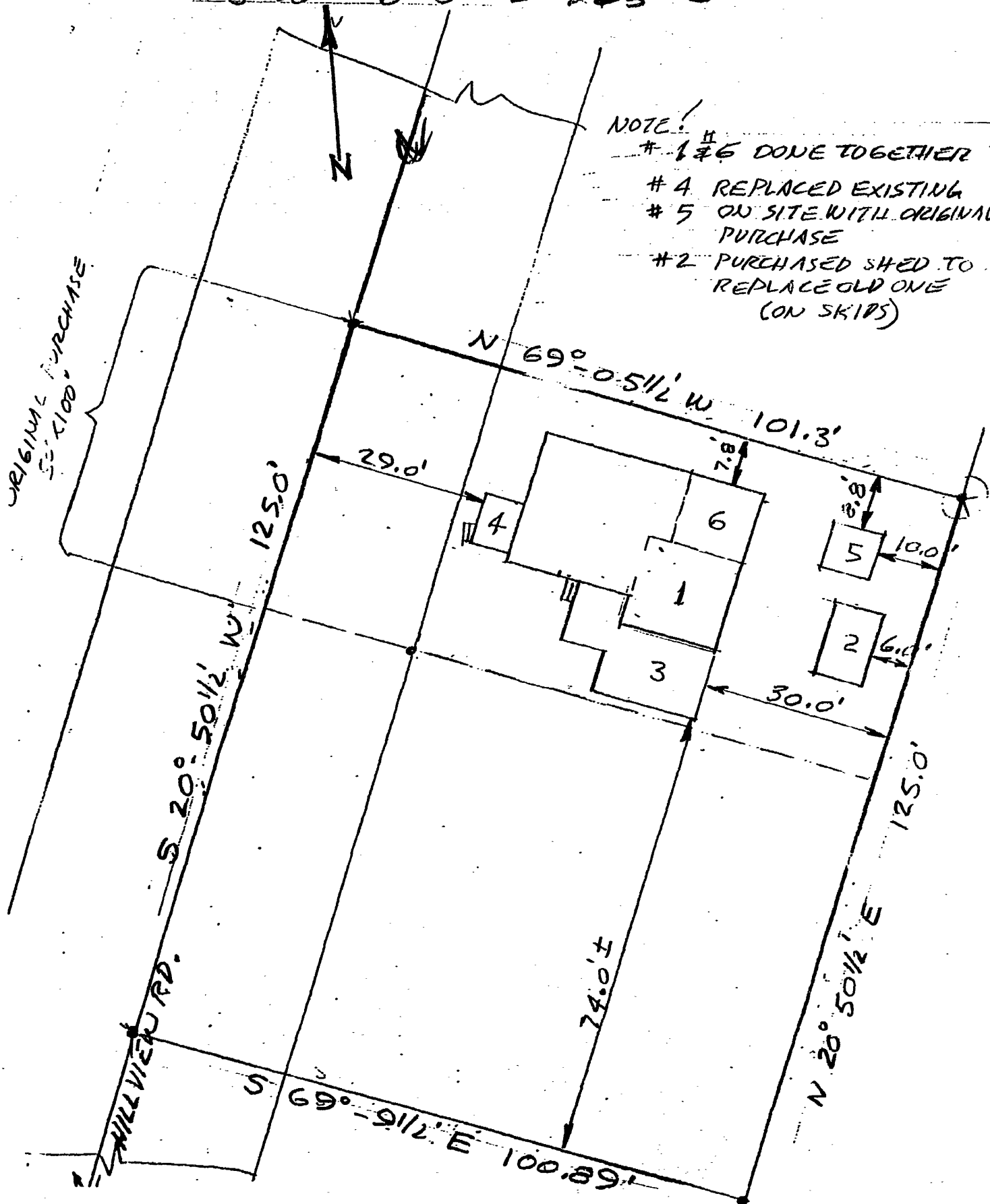


ENTRY DECK

#4

ED NIXON #20 HILLVIEW DRIVE

S 58° B 3 L 2 & 3



NOTE!

1 & 6 DONE TOGETHER

4 REPLACED EXISTING

5 ON SITE WITH ORIGINAL PURCHASE

2 PURCHASED SHED TO REPLACE OLD ONE (ON SKIDS)

ORIGINAL PURCHASE
5' x 100'

HILLVIEW RD.

74.0'±

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: MAY 12, 2004
SUBJECT: ESCROW REFUND ZBA #04-05

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 191.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-05

NAME & ADDRESS:

**Edward Nixon
P.O. Box 41
Salisbury Mills, NY 12577**

THANK YOU,

MYRA

L.R.05-12-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-05 TYPE: AREA

APPLICANT Name & Address:

Edward Nixon

P.O. Box 41

Salisbury Mills, NY 12577

TELEPHONE: 496-3276

RESIDENTIAL:	\$ 50.00	CHECK # <u>3225</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 3224

Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω

<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$5.50 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	____ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u> PAGES	\$ <u>22.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	____ PAGES	\$ _____	\$ _____
TOTAL:		\$ <u>38.50</u>	\$ <u>70.00</u>

Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω Ω

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 108.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 191.50

EDWARD NIXON #04-05

MR. KANE: Request for 4 ft. rear yard setback for existing detached 8' x 12' shed, 6 ft. front yard setback for existing 12' x 12' front deck and 12. ft. side yard setback for existing detached 8' x 8' well house all at 20 Hill View Drive in an R-4 zone.

Mr. Kenneth Gill appeared before the board for this proposal.

MR. GILL: I'm Kenneth Gill, I have Mr. Nixon's permission to speak on this request. All these items are on the property number 2, he did mention alterations on the, do you have the little sketch?

MR. KANE: Yes, we do.

MR. GILL: Item number 2 on the sketch which is number 1 on the agenda here, he did replace that on the same footprint, same slab.

MR. KANE: How old is that shed at this point?

MR. GILL: The new shed?

MR. KANE: Yes.

MR. KANE: Approximately?

R. NIXON: Fifteen years, maybe.

MR. KANE: Replaced a shed that was there for how many years?

MR. GILL: A hundred years, forever. The second item, item number 2 on the agenda here, front entrance deck, that's number 4 on that little sketch, that also was replaced, augmented footprint, in front of it, it has trees and then the street.

MR. KANE: Without that deck being there, it would be a safety hazard stepping out of your front door?

MR. GILL: Right.

MR. KANE: I have to ask the very obvious questions.

MR. GILL: Number 3, that's the well house that's been there since the dwelling was there, it's an 8 x 8 foot well house, it needs a variance of 1.2 feet.

MR. KANE: That would be number 5?

MR. GILL: That's number 5 on the sketch, yes.

MR. KANE: And obviously, you can't move the well house without a lot of financial hardship. The shed itself in number 2 picture is similar to other sheds in your neighborhood?

MR. GILL: There are photos in there.

MR. KANE: Photos don't make the record, I need an answer.

MR. NIXON: Yes.

MR. KANE: Create any water hazards or runoffs with the building of any of the three?

MR. GILL: No.

MR. NIXON: No.

MR. KANE: Any complaints formally or informally about any of the three?

MR. NIXON: No.

MR. KANE: If there's anybody in the audience for this public hearing? No one? So we'll open and close the public hearing and bring it back to the board.

MR. REIS: Mr. Nixon or Mr. Gill is it?

MR. GILL: I'm Ken Gill, this is Mr. Nixon.

MR. REIS: What brings you to the board? Why are you here? We know you need a variance but what presented?

MR. GILL: I don't hear, I'm sorry.

MR. REIS: What caused you to come here?

MR. GILL: Okay, there are six items that Mr. Nixon was unaware of being in violation and so we had a certified engineer come and inspect and made improvements on the three for which he has building permits, these three didn't comply with the setbacks.

MR. KANE: I think Michael's point is selling, refinancing?

MR. NIXON: No.

MR. KANE: Just trying to clear it up, fix it?

MR. NIXON: Yes.

MR. KANE: Thank you. There's a letter in the file signed by a certified engineer that it's all brought up to current code, electrical inspection was done. Myra, how many mailings did we send out?

MS. MASON: On the 16th of February, I mailed out 25 envelopes and I had no responses.

MR. KANE: Nobody actually showed up. Joe, do you have any questions?

MR. MINUTA: I have no questions, we covered the bases.

MR. RIVERA: None at all. Accept a motion?

MR. KANE: Yes, I will.

MR. RIVERA: That we grant Mr. Edward Nixon his requested variance for the 4 foot rear yard setback for the existing detached 8 x 12 shed and the 6 foot yard setback for the existing 12 x 12 front deck and 1.2 foot side yard setback for the existing detached 8 x 8 well house at 20 Hill View Drive.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MINUTA	AYE
MR. KANE	AYE
MR. REIS	AYE



RESULTS OF Z.B.A. MEETING OF: March 8, 2004

PROJECT: Edward Nixon

ZBA # 04-05
P.B.#



USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

NEGATIVE DEC: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

PUBLIC HEARING: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

APPROVED: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) S) VOTE: A N
RIVERA
MCDONALD
REIS CARRIED: Y N
MINUTA
KANE

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) R S) S VOTE: A 4 N 0.

★
RIVERA A
~~MCDONALD~~ A
REIS A
MINUTA A
KANE A

CARRIED: Y ☒ N

No Complaints

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

EDWARD NIXON

**AFFIDAVIT OF
SERVICE
BY MAIL**

#04-05

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 16TH day of **FEBRUARY**, 2004, I compared the 25 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

16th day of February, 2004

J. F. McQuinn (Gallagher)
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 04-05

Request of EDWARD NIXON


for a VARIANCE of the Zoning Local Law to Permit:

4 ft. Rear Yard Setback - for existing detached 8'X12' shed (48-13-A-1-B)and;
6 ft. Front Yard Setback - for existing 12' X 12' front deck (R-4 bulk tables Use 7-E) and;
1.2 ft Side Yard Setback - for existing detached 8' X 8' well house (48-14-A-1-B)

for property located at: 20 HILL VIEW DRIVE - NEW WINDSOR, NY

known and designated as tax map Section 58 Block 3 Lot 2

PUBLIC HEARING will take place on MARCH 8TH, 2004 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.


Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessor's Office

February 4, 2004

Edward Nixon
PO Box 41
Salisbury Mills, NY 12577

Re: 58-3-2 ZBA#04-05

Dear Mr. Nixon:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

57-1-4
Francis Coleman
431 Lake Road
New Windsor, NY 12553

57-1-5
Harold Baxter Jr.
505 Jackson Avenue
New Windsor, NY 12553

57-1-39.23
Tarrytown Management Corporation
PO Box 221
Highland Falls, NY 10928

57-1-40
Douglas & Colleen Mans
57 Beaver Brook Road
New Windsor, NY 12553

57-1-41.1
David & Pamela Boone
90 Lake Side Drive
New Windsor, NY 12553

57-1-42
Richard & Jean Mycka
56 Beaver Brook Road
New Windsor, NY 12553

57-1-43 & 57-1-44
Vincent & Joan Coviello
30 Keats Avenue
Hartsdale, NY 10530

57-1-45
Edward & Shirley Mann
67 Beaver Brook Road
New Windsor, NY 12553

57-1-49.2
Neal & Diane Palmer
73 Beaver Brook Road
New Windsor, NY 12553

57-1-126
Consolidated Rail Corporation
6 Penn Center Plaza
Philadelphia, PA 19103

57-1-127
Consolidated Rail Corporation
Property Tax Department
PO Box 8499
Philadelphia, PA 19101

58-2-1
James & Katherine Kelly
302 Lake Road
Salisbury Mills, NY 12577

58-2-2
Raymond Melnik Jr.
Marsha Mandel
298 Lake Road
Salisbury Mills, NY 12577

58-2-3.2
Patrick & Christine Monroe
294 Lake Road
Salisbury Mills, NY 12577

58-2-10.12
Allen Deyo
21 Beaver Brook Road
New Windsor, NY 12553

58-2-11.1
Christopher & Valerie Davey
27 Beaver Brook Road
New Windsor, NY 12553

58-2-11.2
Mark Carey
436 Beaver Brook Road
New Windsor, NY 12553

58-2-12
Robert & Marianne Gellman
21 Hill View Drive
New Windsor, NY 12553

58-2-13
Mark & Maxine Goulet
19 Hill View Drive
New Windsor, NY 12553

58-2-15
Michael Cacamis
9 Hill View Drive
New Windsor, NY 12553

58-3-1
Brian Scott
22 Hill View Drive
New Windsor, NY 12553

58-3-4 & 58-3-5
Gerald & Maureen McHugh
35 Beaver Brook Road
New Windsor, NY 12553

58-3-6
Janice Johnson
55 Beaver Brook Road
New Windsor, NY 12553

58-4-7.2
August David Michaels
32 Beaver Brook Road
New Windsor, NY 12553

58-4-8
David & Kristin Furman
38 Beaver Brook Road
New Windsor, NY 12553

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 01-29-2004 PROJECT NUMBER: ZBA# 04-05 P.B. # _____

APPLICANT NAME: EDWARD NIXON

PERSON TO NOTIFY TO PICK UP LIST:

EDWARD NIXON

P.O. BOX 41

SALISBURY MILLS, NY 12577

TELEPHONE: 496-3276

TAX MAP NUMBER: SEC. 58 BLOCK 3 LOT 2
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 20 HILL VIEW
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:

(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 3226

TOTAL CHARGES: _____

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-20-04

FOR: **ESCROW 04-05**

FROM: **EDWARD NIXON**


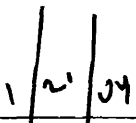
P.O. BOX 41

SALISBURY MILLS, NY 12577-0041

CHECK NUMBER: **3224**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:

	
NAME	DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#75-2004

01/21/2004

Nixon, Edward W.
P.o. Box 41
Salisbury Mills, NY 12577-0041

Received \$ 50.00 for Zoning Board Fees, on 01/21/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



RESULTS OF Z.B.A. MEETING OF:

January 26, 2004

PROJECT: Edward Nipon

ZBA # 04-05

P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

PUBLIC HEARING: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

NEGATIVE DEC: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

APPROVED: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) Riv S) Mc

VOTE: A 3 N 0

RIVERA

MCDONALD

REIS

MINUTA

~~KANE~~

CARRIED: Y ☒ N

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:

M) S) VOTE: A N

RIVERA

MC DONALD

REIS

MINUTA

KANE

CARRIED: Y N

No complaints

No easements

Not creating water hazards

EDWARD NIXON (04-05)

Mr. Ken Gill appeared before the board for this proposal.

MR. REIS: Request for 4 ft. rear yard setback for existing detached 8' x 12' shed (48-13-A-1B) and 6 ft. front yard setback for existing 12' x 12' front deck (R-4 bulk tables, Use 7-E) and 1.2 ft. side yard setback for existing detached 8'x 8' well house (48-14-A-1-B) all at 20 Hill View Drive in an R-4 zone.

MR. GILL: I'm Ken Gill, I'm here for Mr. Nixon and he bought this house from his father, the elder Mr. Nixon who passed away. These structures were all up there at that time and they have been up there for approximately 16 years, except for the front entry, the deck in the front which was put up 10 or 12 years ago to replace an existing entry. So he's asking for variances on as-built situation, he's asking for these three variances as I read them. He feels that the percentage isn't very bad, also been no complaints from any neighbors. There's a big vacant property in the back and there are trees between the building and the road so it's pretty much inoffensive.

MR. MC DONALD: These have been up?

MR. GILL: Yes.

MR. MC DONALD: I heard you say no complaints.

MR. GILL: No complaints thus far, right.

MR. REIS: These structures don't go over any kind of easements?

MR. GILL: No, there was one initially on the road, I'm not even sure about it, but the road was given to the Town or it was a private road that went over it when

the sewer went in, I guess.

MR. RIVERA: Creating any water hazards?

MR. GILL: No, that's a high and dry piece of property actually.

MR. MC DONALD: Do we have to take these individually Michael?

MR. BABCOCK: Well, we wrote them up individually, you can or you don't, if you want to do them altogether, you could.

MR. KRIEGER: Specify in the motion that you're taking them in block and if you're going to set him up for a public hearing in block.

MR. MC DONALD: That's what I would do.

MR. REIS: Any other questions?

MR. RIVERA: Accept a motion?

MR. REIS: Yes, please.

MR. RIVERA: I make a motion that we set up Mr. Edward Nixon for a public hearing and vote on these as a block for the requested 4 foot rear yard setback for and existing detached 8 x 12 shed, 6 foot front yard setback for existing 12 x 12 front deck and the 1.2 foot side yard setback for an existing detached 8 x 8 well house at 20 Hill View Drive.

MR. MC DONALD: Second it

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE

January 26, 2004

19

MR. REIS

AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

2 of 3

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: December 4, 2003

APPLICANT: Edward Nixon
PO Box 41
Salisbury Mills, NY 12577

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 12/4/03

COPY

FOR : deck

LOCATED AT: 20 Hill View Drive

ZONE: R-4 Sec/Blk/ Lot: 58-3-2

DESCRIPTION OF EXISTING SITE: SBL# 58-3-2

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 12X12 front deck does not meet minimum front yard set.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 7-E Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

35'

29'

6'

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

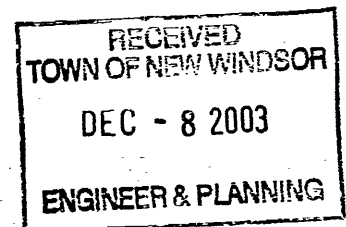
MAX BLDG HT:

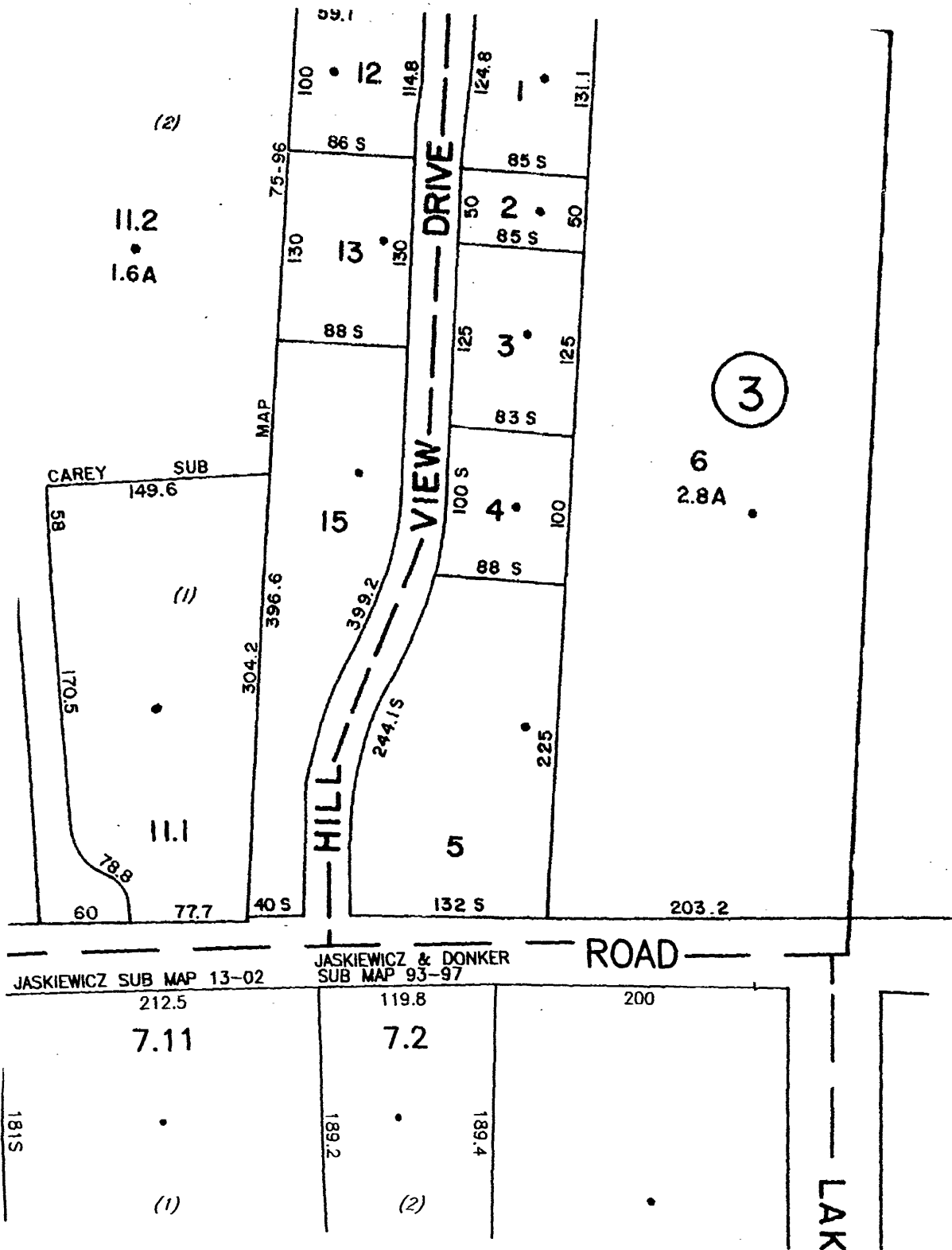
FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP





SECTION 57

COPY

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU CALL FOR ALL REQUIRED INSPECTIONS OF CONSTR

COPY

4

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

DEC 01 2003

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 2003-1464

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ED NIXON

Address 20 HILLVIEW DRIVE

Phone # 496-3276

Mailing Address P.O. Box 44 SAUSURY MILLS N.Y. 12577 Fax # _____

Name of Architect _____

Address _____

Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the E side of HILLVIEW DRIVE
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 58 Block 3 Lot 2 & 3

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy DWELLING b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? NO existing front entrance

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50

PAID

n # 3147

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4518
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.


(Signature of Applicant)

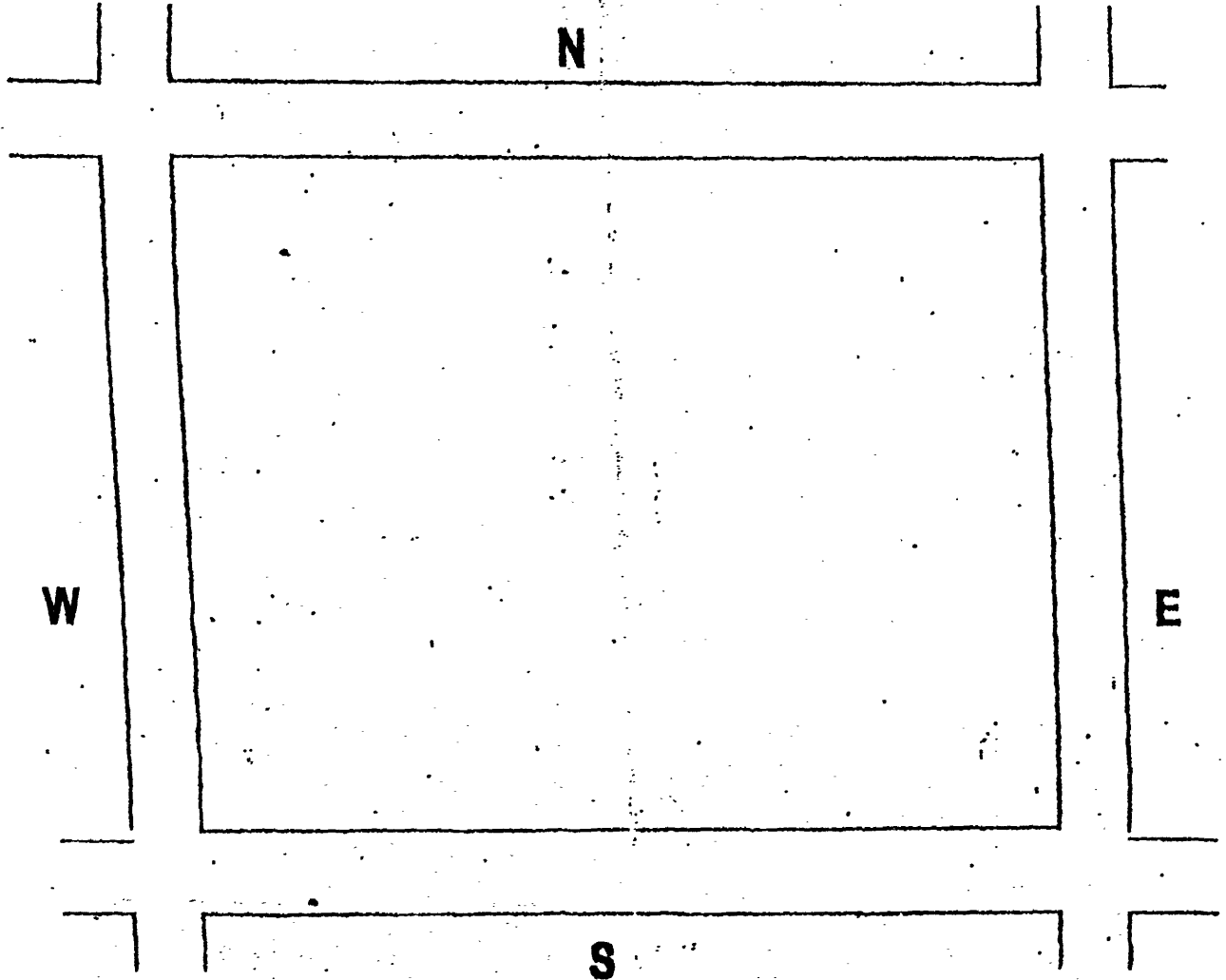
(Address of Applicant)


(Owner's Signature)

(Owner's Address)

LOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



COPY

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

3 of 3

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: December 4, 2003

APPLICANT: Edward Nixon
PO Box 41
Salisbury Mills, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 12/4/03

FOR : well house

LOCATED AT: 20 Hill View Drive

ZONE: R-4 Sec/Blk/ Lot: 58-3-2

COPY

DESCRIPTION OF EXISTING SITE: SBL# 58-3-2

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing detached 8x8ft. well house does not meet minimum 10' side yard set-back.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-1-B Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

10'

8.8"

1.2'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

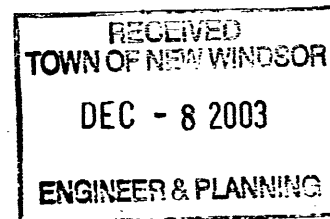
MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



(2)

11.2
•
1.6A

(1)

11.1

7.11

(1)

MAP

HILL

VIEW DRIVE

ROAD

LAK

3

6
2.8A

N 530,000
E 580,000

SECTION 57

COPY

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

COPY

5

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

DEC 01 2003

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2003-1465

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ED NIXON

Address #20 HILLVIEW DRIVE Phone # 496-3276

Mailing Address P.O. Box 44 SACSBUCK MILLS N.Y. 12577 Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the E side of HILLVIEW DR.
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 58 Block 3 Lot 2 & 3

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy DWELLING b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? no existing well house

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50

CH# 3151 **PAID**

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

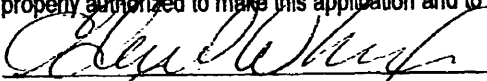
Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.


(Signature of Applicant)

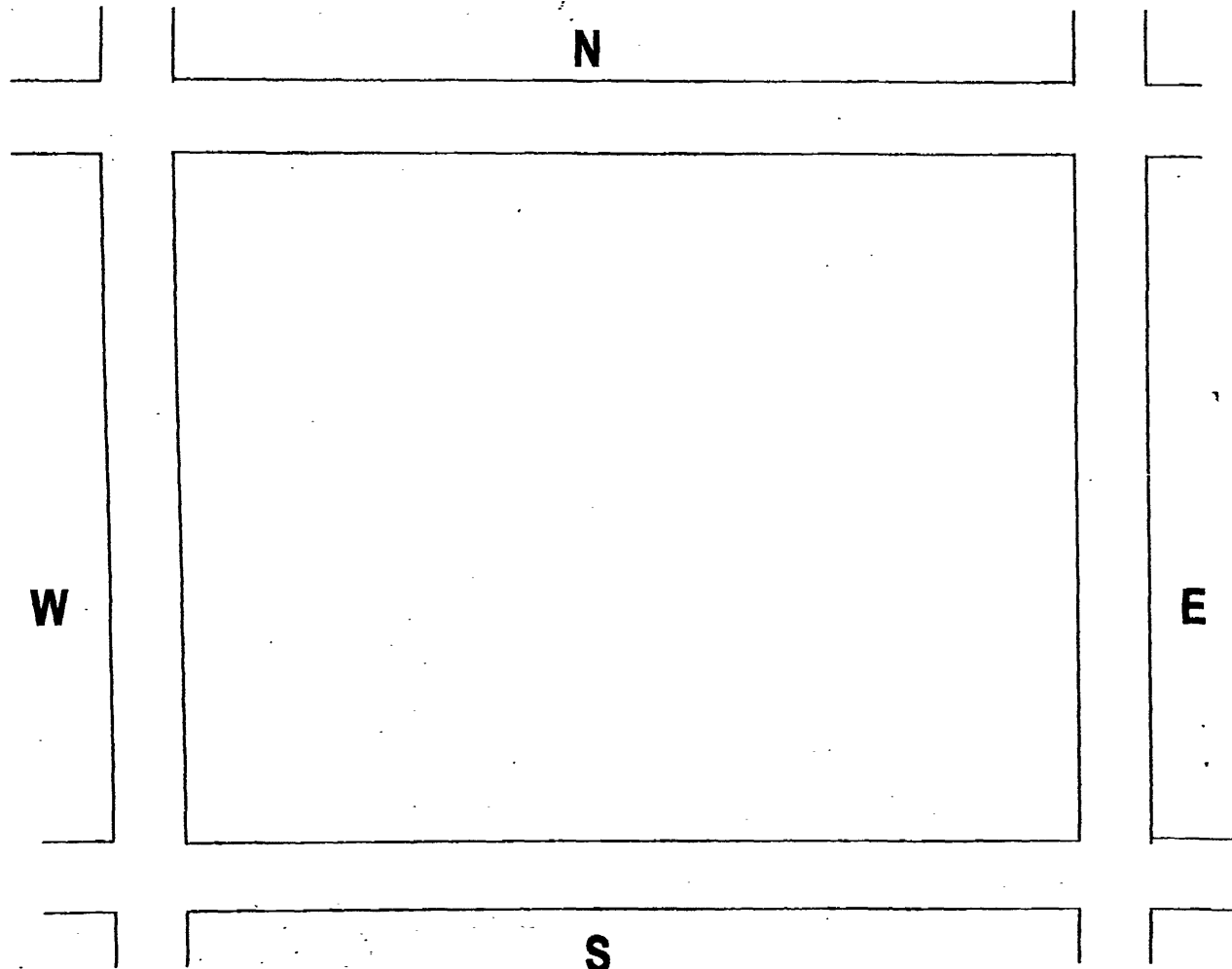
(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

January 20, 2004

Edward Nixon
P.O. Box 41
Salisbury Mills, NY 12577

SUBJECT: REQUEST FOR VARIANCE #04-05

Dear Mr. Nixon:

This letter is to inform you that you have been placed on the January 26th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

20 Hill View
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

ZBA # 04-05 Application Fee

EDWARD W. NIXON

P.O. BOX 41 496-3276
SALISBURY MILLS, NY 12577-0041

Visit us at Key.com®

3224

Date 12/12/03

50-693/219
334

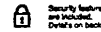
Pay to the Order of Town of New Windsor \$ 300.00

Three hundred dollars ~~xxx~~ Dollars



KeyBank National Association
Newburgh, New York 12550
1-800-KEY2YOU®

Key Advantage



Security features
are included.
Details on back.

For _____

Edward W. Nixon

⑆021906934⑆

342926527⑆ 3224

© Clarke American

ZBA # 04-05 Application Fee

EDWARD W. NIXON

P.O. BOX 41 496-3276
SALISBURY MILLS, NY 12577-0041

Visit us at Key.com®

3225

Date 12/12/03

50-693/219
334

Pay to the Order of Town of New Windsor \$ 50.00

fifty dollars ~~xxx~~ Dollars



KeyBank National Association
Newburgh, New York 12550
1-800-KEY2YOU®

Key Advantage



Security features
are included.
Details on back.

For _____

Edward W. Nixon

⑆021906934⑆

342926527⑆ 3225

© Clarke American

ZBA # 04-06 Assessor's List

EDWARD W. NIXON

P.O. BOX 41 496-3276
SALISBURY MILLS, NY 12577-0041

Visit us at Key.com®

3226

Date 12/12/03

50-693/219
334

Pay to the Order of Town of New Windsor \$ 25.00

Twenty five dollars ~~xxx~~ Dollars



KeyBank National Association
Newburgh, New York 12550
1-800-KEY2YOU®

Key Advantage



Security features
are included.
Details on back.

Ed Nixon



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

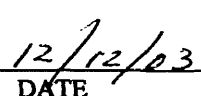
NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

*** * MUST READ AND SIGN * ***

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).


SIGNATURE


DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE



_____ Application Type: Use Variance ☐ Area Variance ☒
Date _____ Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 496-3276
Edward W Nixon Fax Number: ()
(Name)
30 Hill View Rd
(Address)

II. **If Moving to New Address, please list forwarding address for return of escrow:**

(Name) Phone Number: ()

Fax Number: ()

(Address)

III. **Attorney:** Phone Number: ()

Fax Number: ()
(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()

Fax Number: ()
(Name)

(Address)

V. **Property Information:**
Zone: R-4 Property Address in Question: _____
Lot Size: _____ Tax Map Number: Section 58 Block 3 Lot 2
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? no
c. When was property purchased by present owner? 1992
d. Has property been subdivided previously? no If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? no
f. Is there any outside storage at the property now or is any proposed? _____

******PLEASE NOTE:*******

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>			<u>Proposed or Available</u>			<u>Variance Request</u>		
	#1	#2	#3	#1	#2	#3	#1	#2	#3
Min. Lot Area									
Min. Lot Width									
Reqd. Front Yd.		35'		29'	29'		6'	6'	
Reqd. Side Yd.	10'		10'			8.8'			1.2'
Reqd. Rear Yd.	10'			6'			4'		
Reqd. St Front*									
Max. Bldg. Hgt.									
Min. Floor Area*									
Dev. Coverage*									
Floor Area Ratio**									
Parking Area									

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

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COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

ALL ITEMS WERE EXISTING WHEN
PROPERTY WAS PURCHASED. ALL ITEMS ARE IN USE.
IN THE OWNERS OPINION, THE REQUESTED VARIANCES
ARE NOT SUBSTANTIAL, DUE TO THE DISTANCE TO
NEIGHBORING STRUCTURES AND/OR LAND VACANCIES.

PLEASE NOTE:

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - ☒ One in the amount of \$ 300.00 or 500.00 , (escrow)
 - ☒ One in the amount of \$ 50.00 or 150.00 , (application fee)
 - ☒ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

12th day of December 2003.

PAMELA G. COSSA
Notary Public, State Of New York
Qualified in Orange County
Registration No. 01CO6090140
Commission Expires April 7, 2007

Signature and Stamp of Notary
Pamela Cossa

Edward W. Nixon
Owner's Signature (Notarized)

Edward W Nixon
Owner's Name (Please Print)

Kenneth A. L...
Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

_____, deposes and says that he resides

(OWNER)

at 20 HILL VIEW, NEW WINDSOR in the County of ORANGE
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. _____ Block _____ Lot _____)
designation number (Sec. 58 Block 3 Lot 2) which is the premises described in

the foregoing application and that he authorizes:

KENNETH GILL 2081 RTE 94 SAUSBURY MILLS NY 12577
(Applicant Name & Address, if different from owner)

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 1-9-04

Sworn to before me this:

9th day of January 2004

Pamela G. Cozza
PAMELA G. COZZA

Notary Public, State Of New York

Qualified In Orange County

Registration No. 01CO6090140

Commission Expires April 7, 2001

Signature and Stamp of Notary

** [Signature]
Owner's Signature (MUST BE NOTARIZED)

[Signature]
Applicant's Signature (If different than owner)

Representative's Signature

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐